

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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10-3-03
Fee OK

In re
Application of: James N. Usko, et al.

Reissue
Application No.: 10/013,988 Examiner: E. Solis

Filed: December 13, 2001 Group Art Unit: 3747

For: MULTI-CYCLE, ENGINE BRAKING WITH POSITIVE POWER VALVE
ACTUATION CONTROL SYSTEM AND PROCESS FOR USING THE
SAME

Attorney Docket No.: 34090-06263

AMENDMENT AND RESPONSE

RECEIVED
AUG 28 2003
TECHNOLOGY CENTER R3700

Commissioner for Patents
Mail Stop Reissue
Alexandria, VA 22313-1450

Dear Sir:

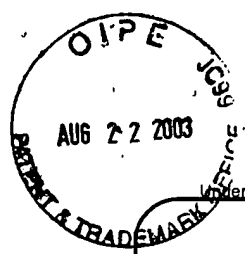
In response to the Notice of Non-Compliance dated July 28, 2003, and the telephone conversation between the Examiner and Applicants' undersigned representative on August 20, 2003, Applicants re-submit the following amendment and remarks in compliance with 37 CFR 1.173(b). Please amend the above-identified reissue patent application as follows:

IN THE SPECIFICATION

Replace the paragraph beginning at column 12, line ⁵⁹~~54~~ with the following:

The rocker arms **100**, **200**, and **300** are spaced along a common rocker shaft **11** having at least one passage. The common rocker shaft **11** has a passage **12** through

3747



PTO/SB/21 (03-03)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/013,988	
	Filing Date	December 13, 2001	
	First Named Inventor	James N. USKO	
	Art Unit	3747	
	Examiner Name	E. Solis	
Total Number of Pages in This Submission	11	Attorney Docket Number	34090-06263

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	MARK W. RYGIEL, Reg. No. 45,871
Signature	<i>Mark W. Rygiel</i>
Date	August 22, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____			
Typed or printed			
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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August 22, 2003

Commissioner for Patents
Mail Stop Reissue
Alexandria, VA 22313-1450

Re: Reissue Patent Application No. 10/013,988
For: MULTI-CYCLE, ENGINE BRAKING WITH POSITIVE
POWER VALVE ACTUATION CONTROL SYSTEM AND
PROCESS FOR USING THE SAME
Client's Reference No: DP-190 Reissue
Our Reference No: 34090-06263

Dear Sir:

Transmitted herewith for filing in the U.S. Patent and Trademark Office in connection with the above-referenced application are the following documents:

- (1) Transmittal Form (1 page); and
- (2) Amendment and Response (10 pages).

Please date-stamp the enclosed copy of this letter, acknowledging receipt of the above-identified documents, and return to us.

Sincerely yours,

Mark W. Rygiel
MARK W. RYGIEL, Reg. No. 45,871

Enclosures
MWR/rm

cc: Frank Stawski

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